Banks, Brenda

U.S. Department of Energy

From: Sent: To: Cc: Subject:	Hoffman, Michael P Monday, June 04, 2007 12:56 PM Banks, Brenda Gottlieb, Paul FW: W(A)-06-009 withdrawn	
FYI Please update the	waiver database.	
Original Message From: Lally, Brian [mailto Sent: Monday, June 04 To: Lally, Brian; Hoffmar Subject: W(A)-06-009 w	o:Brian.Lally@ch.doe.gov] -, 2007 11:58 AM n, Michael P	
Michael,		
original petition for Advout of DOE Instrument More specifically, the particular Technologies LLC, a recumber of there is no privity of conconsidered withdrawn. UM it was discussed the of privity between Nu-line assignment from UM to	9, CH-1357 is hereby considered withdrawn. The vanced Waiver of Patent Rights addressed the disposition of inventions arising No. DE-FG36-05GO15185, between the University of Minnesota (UM) and DOE petition addressed an assignment of rights between UM and Nu-Iron cently formed Joint Venture between JAR Acquisition Corporation (JAR) and either JAR, nor Nu-Iron is a sub-awardee under the grant, DOE determined the ntract between DOE and Nu-Iron. Therefore, the petition for patent waiver was. In conversations between DOE patent counsel and counsel for Nu-Iron and at a petition for patent waiver was unnecessary in the instant case due to lace of the proper remedy. DOE is currently working with UM and Nu-Iron was the proper remedy. DOE is currently working with UM and Nu-Iron tent issues. Please let me know if you have any questions or comments.	at as l
Best Regards,		
Brian		
Brian Lally		
Assistant Chief Counsel	I	
Intellectual Property La	ıw Division	

Hoffman, Michael P

From:

Hoffman, Michael P

Sent:

Monday, June 04, 2007 12:56 PM

To: Cc: Banks, Brenda Gottlieb, Paul

Subject:

FW: W(A)-06-009 withdrawn

FYI Please update the waiver database.

----Original Message----

From: Lally, Brian [mailto:Brian.Lally@ch.doe.gov]

Sent: Monday, June 04, 2007 11:58 AM To: Lally, Brian; Hoffman, Michael P

Subject: W(A)-06-009 withdrawn

Michael,

Waiver No. W(A)-06-009, CH-1357 is hereby considered withdrawn. The original petition for Advanced Waiver of Patent Rights addressed the disposition of inventions arising out of DOE Instrument No. DE-FG36-05G015185, between the University of Minnesota (UM) and DOE.

More specifically, the petition addressed an assignment of rights between UM and Nu-Iron Technologies LLC, a recently formed Joint Venture between JAR Acquisition Corporation (JAR) and UM. However, since neither JAR, nor Nu-Iron is a sub-awardee under the grant, DOE determined that there is no privity of contract between DOE and Nu-Iron.

Therefore, the petition for patent waiver was considered withdrawn. In conversations between DOE patent counsel and counsel for Nu-Iron and UM it was discussed that a petition for patent waiver was unnecessary in the instant case due to lack of privity between Nu-Iron and DOE. It was determined that seeking DOE's approval of the assignment from UM to Nu-Iron was the proper remedy. DOE is currently working with UM and Nu-Iron to address the assignment issues. Please let me know if you have any questions or comments.

Best Regards,

Brian

Brian Lally

Assistant Chief Counsel

Intellectual Property Law Division

U.S. Department of Energy

9800 S. Cass Ave.

Argonne, IL 60439

630-252-2042

630-252-2779(fax)

FAX DATE: 8/20/06

-	on with John K	VALE OU	3/20/0	i ke
	(Name)	•	(Date)	
			t .	
				**:
	•	101.		- An - Et in - An - An - An - An - An Market 大学の大
Receipt Date in I	Field Office:	10101		A STATE OF THE STA
Petitioner:	14-IRBAT	echnol	094 66	C
·				Valente (
Subject:	retallic -	Iron 1	Vodule	Lechnil
				- Carte His
	•		•	1、12年代
1	A 44 577	~ 15 i	- 1 - 1 - 1	nT 1 m dee
Contract Number	er for this Waiver:	<u>) [- j</u>	- 15-1	15 G 0 /3
·	er for this Waiver:	DE-P	- 1 5 p - 1	05 G 0 19
·) <u>E - f</u>	- de 3 6 - 1	05 G 0 19
·		> <u>ĕ- i</u>	- d & d - 1	05 Cr 0 19
·		> <u>E - }</u>	- d & - 1	05 G. 0 19
·		<u>> [- }</u>	- 1 5 b - 1	05 G. 0 19
☐ Curr				05 G. 0 19
Curr	ently Unknown this waiver is a sub, ple	ase complete	the following:	DS Crops
ontract number for the Prime Contract	ently Unknown this waiver is a sub, ple	ase complete	the following:	05 G. O. J.
ontract number for the Prime Contract Prime Contract	ently Unknown this waiver is a sub, ple Number: or Name:	ase complete	the following:	05 G. 0 100
ontract number for the Prime Contract Prime Contract	ently Unknown this waiver is a sub, ple	ase complete	the following:	- C. O.